

United States District Court
for
the District of Nevada

REQUEST FOR HEARING
TO MODIFY CONDITIONS OR TERMS OF SUPERVISION

Name of Offender: **Rochelle Valadez**

Case Number: **2:16CR00176**

Name of Sentencing Judicial Officer: **Honorable Ted Stewart**

Date of Original Sentence: **November 7, 2013**

Original Offense: **Possession of Controlled Substance with Intent to Distribute**

Original Sentence: **48 Months prison, followed by 36 Months TSR**

Date Supervision Commenced: **April 27, 2016**

Date Jurisdiction Transferred to District of Nevada: **June 15, 2016**

Name of Assigned Judicial Officer: **Honorable Richard F. Boulware**

PETITIONING THE COURT

The offender not having waived a hearing, the probation officer requests that a summons be issued and a hearing held to modify the conditions of supervision as follows:

1. **Community Service** – You must complete 50 hours of community service within 4 months. The probation officer will supervise the participation in the program by approving the program (agency, location, frequency of participation, etc.). You must provide written verification of completed hours to the probation officer.

CAUSE

On November 7, 2013, Rochelle Valadez was sentenced in the District of Utah to 48 months custody followed by a 36 month term of supervised release for committing the offense of Possession of Controlled Substance with Intent to Distribute. Supervision commenced in the District of Nevada on April 27, 2016.

On June 19, 2018, a home visit was conducted at the offender's residence by USPO Racaza. The offender was asked to provide a random urine test and she stated she could not. She was

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instructed by USPO Racaza to report to the U.S. Probation Office that same day and submit the sample.

USPO Racaza was given a tour of the home. The offender showed USPO Racaza her master bedroom. The offender pointed out a safe in her master bedroom, and asked if Officer Racaza would like it to be opened. USPO Racaza agreed and the offender opened the safe. As per Officer Racaza the offender was able to open the safe easily with a combination she knew. Immediately upon opening the safe, USPO Racaza identified a black box consistent with that issued by GLOCK that typically houses a firearm. Additionally, multiple boxes of ammunition were seen. This officer pointed out the box, and asked the offender what was inside. She relayed that it was likely empty, and picked up the box and attempted to open it. The offender voluntarily handed the box to USPO Racaza and the box was opened. In it was a Glock 19 Firearm (serial #ACDN143), as well as the following items were found inside the safe and seized: 1) 2 magazines loaded with 9mm luger ammunition (one magazine had 17 rounds, the other had 15 rounds), 2) 2 boxes of Winchester ammunition (100 rounds, 9mm), 3) 2 boxes of Armscor ammunition (100 rounds, 9mm), and 4) 6 hunting style knives. The U.S. Probation Office was unable to establish the registration of the Glock 19 Firearm (serial #ACDN143). However, the weapon was returned to the offender's husband as he provided one receipt of another weapon and admitted to having placed it in the residence. He was instructed that any future non-compliance would place his wife possible revocation proceedings.

The offender failed to report as instructed on June 19, 2018. On June 20, 2018, the next day, USPO Hernandez Powell waited for the offender to report however she failed to report or call our office. On June 20, 2018, USPO Hernandez Powell electronically texted the offender and instructed her to report on June 21, 2018, at 9:00 A.M.

On June 21, 2018, at 9:05 A.M. the offender reported to the U.S. Probation Office and submitted a diluted urine specimen which was positive for methamphetamine and amphetamines. The offender was confronted and she stated she had taken a diet pill. She was instructed to submit documentation from her physician as to medication she was taking and return two hours later to submit a valid urine specimen.

At 10:06 A.M. the offender electronically texted this writer and stated she did not want to waste this officer's time and she was having a difficult time in school and she spoke to another student about it. She as stressed and made bad choice last Thursday, Friday, Saturday and Sunday. She stated she used drugs and she wanted to go to drug testing or classes.

The offender returned to the U.S. Probation Office two hours later at 11:05 A.M. and submitted a urine specimen which tested positive for methamphetamine as confirmed by the laboratory. The offender continued to state that she was remorseful for her actions and took some pills. The offender was placed on random drug testing immediately.

On August 3, 2018, the offender reported to the U.S. Probation Office as instructed and met with this writer and USPO Hicks. The offender was explained that when she first reported our office, we missed getting her signature in the treatment services contract for testing and counseling, and we would be requiring her to do community service to address her non-compliance with using

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drugs. The offender did not allow this writer to continue the conversation and became irritated and irrational. She demanded to speak to her assigned Judge. This writer informed her that the Court would be advised and she was also being advised that it was a possibility the Court could issue a warrant for her non-compliance. The offender continued with her irrational behavior and was instructed to leave.

At this time, the U.S. Probation Office is requesting the offender appear before Your Honor to address her non-compliance and modify her conditions to include community service as well as return her to substance abuse treatment.

I declare under penalty of perjury that the information contained herein is true and correct,

Executed on **August 6, 2018**

 Margarita Hernandez
Powell
2018.08.09 13:37:16 -07'00'

Margarita Hernandez Powell
United States Probation Officer

Approved:

 Niquita M. Loftis
2018.08.09 13:27:32 -07'00'

Niquita Loftis
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
- ☒ The issuance of a summons.
- ☐ Other



Signature of Judicial Officer

August 17, 2018
Date